

## New Boating and Swimming Zones Implementation Frequently Asked Questions

### Why change existing boating and swimming zones?

Boating and swimming zones are prepared under the *Marine Safety Act 2010* with the primary aim of providing a safe environment for water users. They apply conditions of operation and prohibit incompatible uses for safety reasons.

In 2009 Parks Victoria completed a comprehensive two-year review of all boating and swimming zones across Port Phillip and Western Port. The review found that the existing boating and swimming zones could be difficult to understand from the water or land. There were a large number of different types of zones that made it overly complex to interpret. They also did not reflect changing trends in boating and swimming activity.

Parks Victoria as the Local Port Manager of Port Phillip and Western Port, jointly with Transport Safety Victoria who oversee the management of recreational boating across Victoria, reviewed the existing boating and swimming zones. The review was to determine what zone types are required in each local area around Port Phillip and Western Port to allow safe access and use of the coast and waterways.

Following extensive community consultation a standard set of zones and criteria for application was devised. Parks Victoria has worked in partnership with Transport Safety Victoria and in consultation with the local community to apply these zones across Port Phillip and Western Port.

The principles that have been applied during review of the recommendations are that the boating and swimming zones should be:

- Safe;
- Practical;
- Easy to identify;
- Easy to comply with and regulate;
- Responding to current and anticipated future water uses

### Who is affected by the changes to the boating and swimming zones?

Anyone who swims or undertakes a recreational boating activity on Port Phillip or Western Port may be affected by the boating and swimming zone changes.

### What is the definition of a boat in relation to 'boating' and 'swimming only' zones?

In the context of a 'boating only' or 'swimming only' zone, a boat is a vessel or craft which is navigable or steerable and is used to travel on water. This includes motor boats, sail boats or yachts, canoes with oars, Personal Water Crafts (jet skis), kite boards and kayaks. In this context, a water toy such as an inflatable floating device, body board or surf board is not considered a boat.

### **How will the changes affect Personal Water Craft (Jet Skis)?**

Personal Water Craft (PWC), as with many types of boating vessels, can present safety risks to other water users. Consequently some current Jet Ski zones will become 'swimming only' zones. Simplification of zone types will make it easier for PWC operators to understand and comply with the new regulations.

A PWC is a legitimate recreational vessel. The revised Boating Zone criteria do not differentiate between PWCs and other vessels. Currently, all vessels are restricted to 5 knots within 200m of the coast line (unless otherwise specified), within 50m of a swimmer, or within 100m of a dive flag. These regulations remain unchanged and clearer 'swimming only' zones will provide safer options for swimmers.

### **Personal Water Craft are noisy and annoying. Was excessive noise taken into consideration in reviewing the zones?**

Safety was the primary focus when reviewing existing boating and swimming zones. However as the technology used in constructing PWCs continues to improve, the vessel's noise will be considerably reduced.

### **How long will it take to implement the new boating and swimming zones?**

Parks Victoria has commenced implementation of the endorsed zones and is installing buoys, piles and signage as part of the upgrade work over a number of years. Implementation will continue as weather conditions, materials and contractor availability allow.

The first stage was implemented in December 2010 between St Kilda and Port Melbourne. The second and third stage, incorporating Dromana to Blairgowrie and Elwood to Mt Martha was completed in 2013. A fourth stage, incorporating the Bellarine Peninsula and Corio Bay, will begin in early 2016.

The maps published on the Parks Victoria website [www.parks.vic.gov.au](http://www.parks.vic.gov.au) show implemented and proposed zones. Proposed zones may change slightly prior to implementation due to particular site conditions.

As works progress Parks Victoria undertakes local and general education campaigns for waterway users. It is important to note that the existing zones will remain in effect until the revised boating and swimming zones are installed, signed and gazetted by Transport Safety Victoria. Parks Victoria and the Victorian Water Police will therefore continue to enforce the existing zones until replaced by the newly revised boating and swimming zones. Notices to Mariners will also be issued to advise of revised zone arrangements and works occurring on the water.

### **Why hasn't Parks Victoria implemented all the new boating and swimming zones at the same time?**

Removing old signage and navigational aids and installing new infrastructure requires considerable resources. To ensure all new zones are implemented effectively, resources are being allocated on a zone by zone basis.

### **How will the new boating and swimming zones resolve problems between water users?**

Clearer zones and designated spaces for recreational activities will create an environment where conflicts will be minimised.

All boating activities, whether they are motorised boats, personal water craft, sail boats or even a kayak or stand-up paddle board can present a danger to swimmers. Separating the activities clearly reduces the likelihood of injury to swimmers and conflict between water users.

### **Can Parks Victoria guarantee the new zones will be an improvement on existing zones?**

Signage and navigation aids in the new zones will be significantly clearer and easier to identify. Changes to the zones are based on current and predicted demands and specifically designed to separate swimmers and boating activity. The new zones reflect public demand as extensive community consultation has been incorporated into the planning process. Parks Victoria rangers' observations and social trends in recreational activities on the water were also determining factors.

### **What are the different types of zones and what do they mean?**

A simpler set of new zones will replace the previous zones. These are:

- Boating Only - swimming is not permitted in this zone.
- Swimming Only - all vessels including personal watercraft, powered and non-power vessels are not permitted in this zone.
- Shared Wind Sport Area - this zone has been introduced to create a safe area for kite-boarders and sail boarders. Sail boarding and kite-boarding are becoming increasingly popular, necessitating the creation of a designated area. Users may exceed 5 knots except within the proximity of 50 metres to other vessels and swimmers. Other vessels are permitted in this area.
- 5 Knot Speed Limit - all vessels, applicable either:
  - as a zone extending to 200m from shore. Swimming and boating are permitted within 200m of the shore subject to defined areas above. All vessels must adhere to the 5 knot speed limit in this zone; or
  - as a zone extending to 500m from shore on the Mornington Peninsula from Martha Cove, Dromana to Sullivan Bay, Sorrento. Swimming and boating are permitted within 500m of the shore subject to defined areas above. All vessels must adhere to the 5 knot speed limit in this zone.
- In some areas with exceptional circumstances two further zones have been implemented. These are:
  - No Wind Sports - sailboarding and kiteboarding is not permitted.
  - No Personal Water Craft - personal watercraft (including jetskis) are prohibited in this zone.

Commercial Port Zones and restricted zones still apply for commercial shipping and port security.

### **Will Parks Victoria fine people for not complying with the new zones?**

In the first instance, Parks Victoria has taken an educative approach. However the zones will be marked clearly and people deliberately and consistently failing to comply with the zones will be fined by Parks Victoria rangers or the Water Police.

### **How will I know if I'm in a boating or swimming zone?**

Clearly marked aids to navigation and signage will advise water and foreshore-based users of what zone they are in. As individual zones are implemented, a 'Notice to Mariners' will be issued by Parks Victoria, who will also undertake zone-specific and generalised education campaigns.

### **Why didn't Parks Victoria consult me before implementing the new boating and swimming zones?**

Parks Victoria recognised the potential impact on recreational users of Port Phillip and Western Port and continues to undertake an extensive public consultation campaign to ensure the needs of all recreational and commercial groups are considered.

Due to the scope of the review however it was not possible to consult with every member of the community individually. The original process was extensive, with over 200 public submissions received during the campaign period of November and December, 2008.

Parks Victoria advertised the boat zone review proposals in the Herald Sun, Geelong Advertiser and Phillip Island Advertiser. There was also significant media coverage during this period. Further local advertising was carried out in 2015.

### **Who did Parks Victoria consult?**

Parks Victoria has directly approached user groups, clubs, local government, state government agencies and the community to discuss the requirements and potential impacts to ensure the best possible outcome for everyone. Parks Victoria makes a number of recommendations following the public consultation process. These recommendations are then put forward to Transport Safety Victoria for approval.

### **Why are Parks Victoria trying to stop us enjoying swimming or boating on Port Phillip and Western Port?**

The changes are focused on creating safer and more enjoyable zones for all water users. Separating activities such as swimming from water skiing or boating creates a safer and more enjoyable environment for all.

### **What criteria was used to establish priorities?**

The zones were prioritised according to level of usage and potential for accidents.

### **How will I know when the new zones have been introduced in my area?**

When the new signage and navigation markers are installed, the new zones will be legally signed off by the state government, replacing existing zones. The new zones will then be enforceable by law.

Implementation of the new zones will be advertised in the local media, and information will be distributed to clubs and councils and local business servicing water users.

**Will I still be able to walk my dog in the same area?**

A 'boating only' zone will not alter current access for dog walkers and water play for dogs on the beach where dog walking is permitted.

**Where can I get more information about the new zones?**

Detailed information and maps of the new zones are available on the Parks Victoria website [www.parks.vic.gov.au](http://www.parks.vic.gov.au) or by calling the Parks Victoria information centre on 13 1963.

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